

Borough of Allendale

April 23, 2015

Resolution 15-145

Read Budget by Title Only

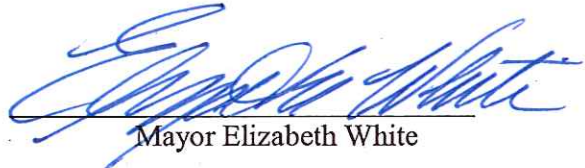
Whereas, the Budget, as advertised, shall be read in full, or it may be read by title, if the following conditions have been met:

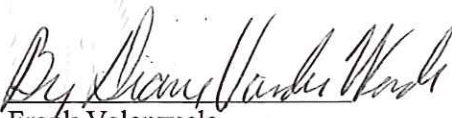
1. At least one week prior to the hearing date, copies of the approved budget shall be distributed to the municipal and county libraries.
2. At least one week prior to the date of the hearing, a complete copy of the approved budget shall be made available to each person requesting the same, and
3. The governing body shall, by resolution passed by not less than a majority of the full membership, determine that the budget shall be read by title only.

Now, Therefore Be It Resolved, that having met those conditions, the 2015 Municipal Budget may be read by title only.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein	✓		✓			
Homan					✓	
McSwiggan			✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

I hereby certify the above to
be a true copy of a Resolution
adopted by the Governing Body
of the Borough of Allendale on
April 23, 2015


Mayor Elizabeth White


Frank Valenzuela
Acting Municipal Clerk

April 23, 2015

Borough of Allendale

Resolution 15-146


Resolution to Adopt Budget

Be It Resolved by the Governing Body of the Borough of Allendale, County of Bergen, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$12,794,296.18 for municipal purposes.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein	✓		✓			
Homan					✓	
McSwiggan			✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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April 23, 2015


Mayor Elizabeth White


Frank Valenzuela
Acting Municipal Clerk

BOROUGH OF ALLENDALE
Introduction of Ordinance 15-12

April 23, 2015

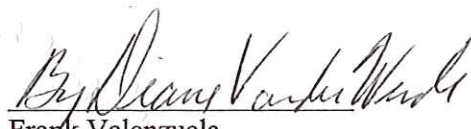
Resolution 15-148

Be It Resolved that Ordinance 15-12, an Ordinance to establish Chapter 142 of the code of the Borough of Allendale, entitled Improper Disposal of Hazardous Materials is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of May, 2015, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and at that such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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April 23, 2015


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 15-12

**AN ORDINANCE TO ESTABLISH CHAPTER 142 OF THE CODE OF THE BOROUGH
OF ALLENDALE ENTITLED "IMPROPER DISPOSAL OF HAZARDOUS
MATERIALS"**

BE IT ORDAINED BY THE Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Chapter be adopted and established with the Code of the Borough of Allendale:

IMPROPER DISPOSAL OF HAZARDOUS MATERIALS

§142-1 Purpose.

The purpose of this chapter is to prohibit the spilling, dumping, or disposal of hazardous materials on any property owned by the Borough of Allendale, so as to protect public health, safety and welfare, and to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§142-2 Word usage; definitions.

A. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the rest of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense including the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

B. As used in this chapter, the following terms shall have the meanings indicated:

Hazardous Materials.

Those substances and/or materials which, when released, discharged, placed or dumped into the environment, which pollute, or which are harmful or injurious to, said environment, including but not limited to those substances and materials described in the Comprehensive Environmental Response, Compensation and Liability act of 1980, as amended, 42 U.S.C. Section 9601, et seq., the Resource Conservation and Recovery Act, as amended, 42 U.S.C. Section 6901, et seq., the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11, et seq., the New Jersey Industrial Site Recovery act, as well as those described in any applicable state or local laws and the regulations promulgated under any of the foregoing acts or laws, as same may be amended.

Person

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

§142-3 Prohibited Conduct.

The spilling, dumping, release, discharge or disposal of hazardous materials on any real property owned by the Borough of Allendale is prohibited. The spilling, dumping, or disposal of hazardous materials in such a manner as to cause the discharge of hazardous materials to any property owned by the Borough of Allendale is also prohibited.

§142-4 Enforcement.

This chapter shall be enforced by the Police Department, Borough Engineers and other Code Officials of or contracted by the Borough of Allendale.

§142-5 Violations and Penalties.

Any person(s) who continues to be in violation of the provisions of this chapter, after being duly notified, shall be subject to a fine of \$1,000 for a first offense and up to \$2,000 for a second and each subsequent offense.

§142-6 Severability.

Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding or any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

BOROUGH OF ALLENDALE
Introduction of Ordinance 15-13

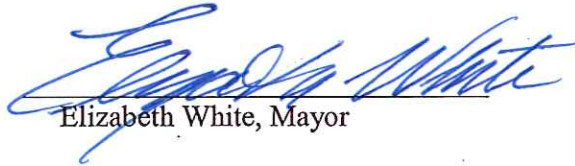
April 23, 2015

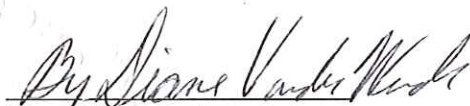
Resolution 15-149

Be It Resolved that Ordinance 15-13, an Ordinance to establish Chapter 144 of the code of the Borough of Allendale, entitled Improper Disposal of Waste is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of May, 2015, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and at that such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein	✓		✓			
Homan					✓	
McSwiggan		✓	✓		✓	
Sasso						
Strauch			✓			
Wilczynski			✓			
White						

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of the Borough of Allendale on
April 23, 2015


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 15-13

**AN ORDINANCE TO ESTABLISH CHAPTER 144 OF THE CODE OF THE BOROUGH
OF ALLENDALE ENTITLED "IMPROPER DISPOSAL OF WASTE"**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Chapter be adopted and established within the Code of the Borough of Allendale:

IMPROPER DISPOSAL OF WASTE

§144-1 Purpose.

The purpose of this chapter is to prohibit the spilling, dumping, or disposal of materials, other than storm water to the municipal separate storm sewer system operated by the Borough of Allendale, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§144-2 Word usage; definitions

A. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the rest of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense including the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

B. As used in this chapter, the following terms shall have the meanings indicated:

Municipal Separate Storm Sewer System

A conveyance or system of conveyance (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough of Allendale or other public body, and is designed and used for collecting and conveying storm water.

Person

Any individual corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

Storm water

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§144-3 Prohibited conduct.

The spilling, dumping, or disposal of materials other than storm water to the municipal separate storm sewer system operated by the Borough of Allendale is prohibited. The spilling, dumping, or disposal of materials other than storm water in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§144-4 Exceptions.

- A. Water line flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air-conditioning condensate (excluding contact and noncontact cooling water).
- D. Irrigation water (including landscaping and lawn watering runoff).
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted steam flows.
- F. Residential car washing water, and residential swimming pool and spa discharges.
- G. Sidewalk, driveway and street wash water.
- H. Flows from fire-fighting activities.
- I. Flows from rinsing of the following equipment with clean water:
 - (1) Beach maintenance equipment immediately following their use for their intended purposes; and
 - (2) Equipment used in the application of salt and deicing materials immediately following salt and deicing material application. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicle to the maximum extent practicable using dry cleaning methods (e.g. shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded. Rinsing of equipment, as noted in the

above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§144-5 Enforcement.

This chapter shall be enforced by the Police Department, Borough Engineers and other Code Officials of or contracted by the Borough of Allendale.

§144-6 Violations and penalties.

Any person(s) who continues to be in violation of the provisions of this chapter, after being duly notified, shall be subject to a fine of \$1,000 for a first offense and up to \$2,000 for a second and each subsequent offense.

§144-7 Severability.

Each section, subsection, sentence, clause and phrase of this chapter is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this chapter to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this chapter.

BOROUGH OF ALLENDALE
Introduction of Ordinance 15-14


April 23, 2015


Resolution 15-150

Be It Resolved that Ordinance 15-14, an Ordinance to establish Chapter 90 of the Code of the Borough of Allendale, to delegate the authority for granting Raffle and Bingo Licenses is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of May, 2015, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and at that such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

I hereby certify the above to
be a true copy of a Resolution
adopted by the Governing Body
of the Borough of Allendale on
April 23, 2015


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY
ORDINANCE NO.15-14**

**AN ORDINANCE TO ESTABLISH CHAPTER 90
OF THE CODE OF THE BOROUGH OF ALLENDALE
TO DELEGATE THE AUTHORITY FOR GRANTING
RAFFLE AND BINGO LICENSES.**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, and State of New Jersey that the following Chapter be adopted and established with the Code of the Borough of Allendale.

90.1 Duties related to Bingo and Raffles.

The Borough Clerk is hereby authorized to approve the granting of raffle and bingo licenses to be held in the Borough of Allendale.

90.2 Appeals. Any appeals from a denial by the Borough Clerk of the issuance of a Raffle or Bingo License shall be heard by the Mayor and Council and shall be filed within five (5) days of the date of notification of denial.

90.3 Repeals.

All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance were hereby repealed as to said inconsistencies and conflicts.

90.4 Severability.

In any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional; such decision shall not affect the remaining provisions of this Ordinance. The governing body of the Borough of Allendale declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

90.5 Effective Date.

This Ordinance shall take effect immediately after passage and publication according to law.

Borough of Allendale

April 23, 2015

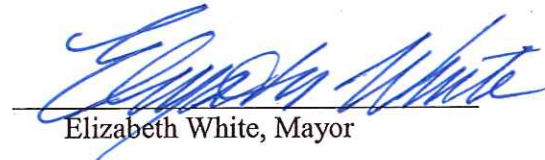
Resolution 15-151

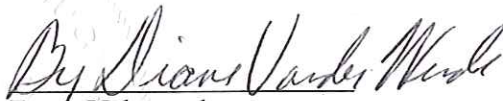
List of Bills

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby approves the Bill List dated April 23, 2015.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 23, 2015.


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

Borough of Allendale

April 23, 2015

Resolution 15-152

Award Bid for 2015 Road Resurfacing Program

Whereas, the Borough of Ramsey acting as the lead agency through the Northwest Bergen Corporative Pricing Program advertised for bids for the resurfacing of certain streets within the Boroughs of Allendale, Glen Rock, Ho-Ho-Kus, Midland Park, Ramsey, Saddle River, Waldwick and Wyckoff; and,

Whereas, a total of six (6) bids were accepted on April 2, 2015 and were reviewed by the appropriate recommending authorities; and,

Whereas, D&L Paving Contractors, Inc. 681 Franklin Avenue Nutley, New Jersey 07110 is the lowest responsible, responsive bidder;

Whereas, the Borough of Allendale's share of the resurfacing is Three Hundred Ten Thousand, One Hundred Thirteen Dollars and Fifty-One Cents (\$310,113.51); and,

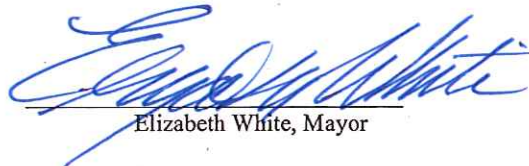
Whereas, the Chief Financial Officer has attached a Certification that adequate funds have been duly budgeted and appropriated to pay for the contract.

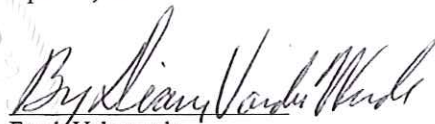
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the contract for resurfacing of designated streets in the Borough of Allendale is hereby awarded to D&L Paving Contractors, Inc. for the amount of Three Hundred Ten Thousand, One Hundred Thirteen Dollars and Fifty-One Cents (\$310,113.51); and,

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to sign an agreement with D&L Paving Contractors, Inc. following legal review.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

Borough of Allendale

April 23, 2015

Resolution 15-153

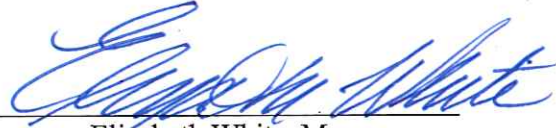
Approval of Raffle License Application
No. RA: 414


Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License Application No. RA: 414 as follows:

Applicant: Church of Guardian Angel
Address: 320 Franklin Turnpike, Allendale, New Jersey 07401
Date of Raffle: June 2nd through June 6th, 2015
Type: On Premises Non-Draw Raffle
Place: 320 Franklin Turnpike, Allendale, New Jersey 07401
Proceeds: Church Fundraiser for Operating Expenses

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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April 23, 2015


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

Borough of Allendale

April 23, 2015

Resolution 15-154


Approval of Raffle License Application
No. RA: 415


Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License Application No. RA: 415 as follows:

Applicant: Church of Guardian Angel
Address: 320 Franklin Turnpike, Allendale, New Jersey 07401
Date of Raffle: June 6, 2015
Type: On Premises 50/50 Raffle
Place: 320 Franklin Turnpike, Allendale, New Jersey 07401
Proceeds: Church Fundraiser for Operating Expenses

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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April 23, 2015


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

Borough of Allendale

April 23, 2015

Resolution 15-155

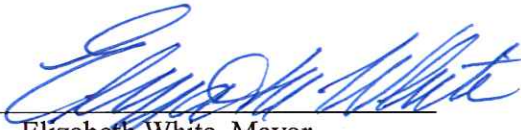
Authorization for Borough Attorney in defense of the Borough of Allendale

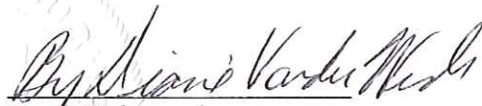
Whereas, the Borough and the Records Custodian have been served with a Denial of Access Complaint from the New Jersey Government Records Council (GRC); GRC Complaint No. 2014-220;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Borough Attorney is authorized and directed to defend the Borough and the Custodian's interests in such matter.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 23, 2015.


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk

April 23, 2105

Resolution 15-156

Approval of the Bergen County Multi-Jurisdictional Hazard Mitigation Plan

Now, Therefore, Be It Resolved by the Borough of the Allendale:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 13, 2015 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Borough of Allendale; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Allendale departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Allendale, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

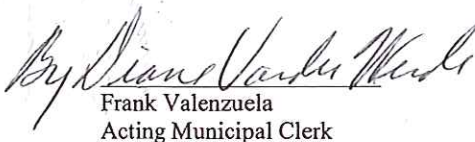
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby approves Bergen County Multi-Jurisdictional Hazard Mitigation Plan

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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Elizabeth White, Mayor



Frank Valenzuela
Acting Municipal Clerk

April 23, 2015

Borough of Allendale

Resolution 15-157


Acceptance of Resignation

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey do hereby accept the resignation of Dominick P. Preziosi from the position of Public Defender for the Borough of Allendale effective April 30, 2015.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan	✓		✓			
Sasso					✓	
Strauch			✓			
Wilczynski		✓	✓			
White						

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April 23, 2015


Elizabeth White, Mayor


Frank Valenzuela
Acting Municipal Clerk